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CITY OF MARLBOROUGH
City Council Agenda

Monday, December 5, 2022
8:00 PM

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **PUBLIC ATTENDANCE IS PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34), or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlborough-ma.gov).

1. Minutes, City Council Meeting, November 21, 2022.
2. CONTINUED PUBLIC HEARING on the Petition of Verizon New England to lay and maintain underground conduits, with wires and cables to be placed therein under the public way, Desimone Drive, Order No. 22-1008722A.
3. PUBLIC HEARING on the Petition from National Grid to install a hand hole and run conduit from Pole #14 to hand hole at 157 Cook Lane, Order No. 22-1008738.
4. PUBLIC HEARING on the Petition from National Grid to install a Pushbrace off Pole #18 on Mechanic Street which is needed to support pole with wires going down Manning Street, Order No. 22-1008739.
5. PUBLIC HEARING on the Application for Special Permit from Marquel Frink and Divino Oliveira on behalf of All Fur Love, to operate a dog grooming business to be located at 75 Lincoln Street, Order No. 22-1008723.
6. TAX CLASSIFICATION PUBLIC HEARING with the Board of Assessors to determine the percentage of the local tax levy to be borne by each class of property for Fiscal Year 2023, Order No. 22-1008744.
7. Communication from the Mayor, re: FY 2023 Tax Classification Hearing Information and Tax Levy Offset Transfer Requests totaling \$885,019.97.
8. Communication from the Mayor, re: Grant Acceptance in the amount of \$3,000,000.00 from the MassWorks Infrastructure Program through the Executive Office of Housing and Economic Development awarded to the Department of Public Works to be used for various road and intersection improvements throughout the city.
9. Communication from the Mayor, re: Grant Acceptance in the amount of \$49,182.00 from the MA Division of Fisheries and Wildlife awarded to the Conservation Commission to be for continued restoration in the Natural Desert Area.
10. Communication from the Mayor, re: Grant Acceptance in the amount of \$23,100.00 from the MA Cultural Council awarded to the Cultural Council to be to support arts programs throughout the community.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

11. Communication from Assistant City Solicitor Jeremy McManus, re: Petition of Verizon Wireless for the installation of a small cell wireless facility to be located on Pole #34 within the layout of the public way near 385 Farm Road, in proper legal form, Order No. 22-1008695.
12. Communication from Central MA Mosquito Control Project, re: Notice of 2023 Commission meeting dates.
13. Communication from Department of Public Utilities, re: Petition of MA Electric Company & Nantucket Electric Company d/b/a National Grid for Approval to Exclude Mystic Cost-of-Service Agreement Costs.
14. Communication from Department of Public Utilities, re: Petition of NSTAR Electric Company d/b/a Eversource Energy for Approval of an Alternative Basic Service Procurement Plan.
15. Communication from Colonial Power Group, re: Response to Department of Public Utilities relative to increased number of complaints regarding aggregation programs.
16. Minutes of Boards, Commissions and Committees:
 - a) School Committee, November 8, 2022.
 - b) Conservation Commission, November 3, 2022.
17. CLAIMS:
 - a) Joseph Mikula, 211 West Hill Road, pothole or other road defect.
 - b) Patrice Tivnan, 47 Sunshine Drive, pothole or other road defect.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Public Services Committee

18. **Order No. 22-1008695B: Petition of Verizon Wireless for the installation of a small cell wireless facility to be located on Pole #34 within the layout of the public way near 385 Farm Road.**

Recommendation of the Public Services Committee is to APPROVE.

On a motion by Councilor Irish, seconded by Chair Landers, the committee recommended approval of the Petition of Verizon Wireless for the installation of a small cell wireless facility to be located on Pole #34 within the layout of the public way near 385 Farm Road, together with the conditions submitted by the City Engineer, incorporated into the draft decision from the Asst. City Solicitor. Vote 2 in favor; 1 absent (Brown).

From Personnel Committee

19. **Order No. 22-1008663A: Reappointment of Cheryl Soucy to the Disabilities Commission for a 3-year term to expire October 21, 2024.**

Recommendation of the Personnel Committee is to APPROVE.

On a motion by Councilor Navin, seconded by Chair Dumais, the committee voted to recommend approval of the reappointment of Cheryl Soucy to the Disabilities Commission for a 3-year term to expire October 21, 2024. Vote 3-0.

20. **Order No. 22-1008664B: Appointment of Adrian Gilbert to the Historical Commission for a term expiring three years from City Council confirmation.**

Recommendation of the Personnel Committee is to APPROVE.

On a motion by Councilor Doucette, seconded by Chair Dumais, the committee voted to recommend approval of the appointment of Adrian Gilbert to the Historical Commission for term expiring three years from the date of City Council confirmation. Vote 3-0.

21. **Order No. 22-1008690: Appointment of N. Paul Tonthat to the Community Development Authority (CDA) for a 3-year term to expire on March 25, 2025, and the REAPPOINTMENT of Paul Sliney for a 3-year term to expire on March 9, 2025.**

Recommendation of the Personnel Committee is to APPROVE.

On a motion by Councilor Doucette, seconded by Chair Dumais, the committee voted to recommend approval of the appointment of N. Paul Tonthat to the CDA for a 3-year term to expire on March 25, 2025, and to reappoint Paul Sliney for a 3-year term to expire March 9, 2025. Vote 3-0.

From City Council

22. **Order No. 22-1008678B: Proposed Salary Ordinance pursuant to Chapter 125 "Personnel", §6 "Salary Schedule" to create a new position entitled, Substance Use Prevention Coordinator and Intervention Specialist, within the Health Department, with 7-step salary table, minimum of \$58,000.00 to maximum of \$65,317.42, for a 35-hour work week, together with the proposed Job Description pursuant to Chapter 125 "Personnel", §5 "Preparation of Classification Descriptions".**

Recommendation of the Finance Committee is to approve as amended. Action was POSTPONED to the December 5, 2022, City Council meeting; Advertising requirement has been met.

23. **Order No. 22-1008701A: Proposed amendment to City Code, Chapter 125, 'Personnel' §6. Salary Schedule and Proposed Job Description pursuant to Chapter 125 'Personnel' §5 Preparation of Classification Descriptions to create a new position entitled Treasury/Payroll Manager within the Finance Department.**

Recommendation of the Finance Committee is to APPROVE. This matter was ordered advertised at the November 21, 2022, City Council meeting (advertisement was published on Monday, November 28, 2022). Action cannot be taken until the December 19, 2022, City Council meeting to comply with the 10-day period required in the Charter.